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SENATE BILL 107

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Dede Feldman

AN ACT

RELATING TO NATURAL RESOURCES; AMENDING THE NATURAL RESOURCES TRUSTEE ACT TO CLARIFY THE PURPOSE OF THE NATURAL RESOURCES TRUSTEE FUND.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 75-7-5 NMSA 1978 (being Laws 1993, Chapter 292, Section 5) is amended to read:

"75-7-5. NATURAL RESOURCES TRUSTEE FUND. --

A. The "natural resources trustee fund" is created in the state treasury. Money appropriated to the fund or accruing to it through gifts, grants, fees, penalties, bequests or any other source shall be delivered to the state treasurer and deposited in the fund. Money recovered for the state by or on behalf of the natural resources trustee shall be deposited in the natural resources trustee fund. The fund shall be

underscored material = new
[bracketed material] = del ete

1 administered by the natural resources trustee. Disbursements
2 from the fund shall be made upon warrants drawn by the
3 secretary of finance and administration pursuant to vouchers
4 signed by the natural resources trustee or his designated
5 representative. Money in the fund shall not revert to the
6 general fund at the end of a fiscal year.

7 B. Money in the natural resources trustee fund
8 shall be appropriated by the legislature annually to carry out
9 the provisions of the Natural Resources Trustee Act by:

10 (1) restoring, replacing or acquiring natural
11 resources in an area where natural resources have been injured,
12 destroyed or lost, provided that money deposited in the fund
13 because of injury to, destruction of or loss of natural
14 resources in an area shall be disbursed to restore, replace or
15 acquire natural resources in that same area; and

16 (2) providing for necessary personnel and
17 other costs of the natural resources trustee, the attorney
18 general and the office of natural resources trustee, including
19 the cost of investigation, assessment, collection or
20 enforcement.

21 C. Money in the natural resources trustee fund
22 shall be invested as other state funds are invested, and
23 interest and earnings from the fund shall not revert to the
24 general fund [~~except as provided in this subsection~~]. Interest
25 and earnings from the natural resources trustee fund shall be

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1 ~~[used first to reimburse the general fund for the initial~~
2 ~~appropriation of two hundred fifty eight thousand dollars~~
3 ~~(\$258,000) to the office of natural resources trustee and~~
4 ~~seventy four thousand two hundred fifty dollars (\$74,250) to~~
5 ~~the attorney general. Next, interest and earnings from the~~
6 ~~fund shall be]~~ available to be appropriated by the legislature
7 to pay for necessary personnel and other costs of the [natural
8 ~~resources trustee, the attorney general and the]~~ office of
9 natural resources trustee. [Thereafter, all interest and
10 ~~earnings from the fund shall be deposited in the game~~
11 ~~protection fund for the purposes of preserving or improving~~
12 ~~nongame wildlife and their habitats.] "~~